

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

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MARQUE RAYMONT EVANISH,

Plaintiff,

v.

CASE NO: 22-CV-10102

FLINT POLICE DEPARTMENT and  
MICHIGAN STATE POLICE,

Defendants.

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**ORDER ADOPTING MAGISTRATE JUDGE'S  
REPORT AND RECOMMENDATION**

This matter was referred to United States Magistrate Anthony P. Patti pursuant to 28 U.S.C. §636(b)(1)(B) and Local Rule 72.1. In his report filed on November 2, 2022, the magistrate judge recommended that this court grant Defendant Michigan State Police's Motion to Dismiss (ECF No. 15) and Defendant Flint Police Department's Amended Motion to Dismiss (ECF No. 17). No objections have been filed pursuant to 28 U.S.C. § 636(b)(1)(C), thus further appeal rights are waived.<sup>1</sup>

The Court ADOPTS the Report and Recommendation for purposes of this Order.

Accordingly, IT IS ORDERED that, for the reasons set forth in the Magistrate Judge's Report and Recommendation, Defendant Michigan State

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<sup>1</sup>The failure to object to the magistrate judge's report releases the court from its duty to independently review the motion. *Thomas v. Arn*, 474 U.S. 140, 149 (1985).

Police's Motion to Dismiss is GRANTED and Defendant Flint Police Department's Amended Motion to Dismiss is **GRANTED**.

S/Robert H. Cleland  
ROBERT H. CLELAND  
UNITED STATES DISTRICT JUDGE

Dated: December 6, 2022

I hereby certify that a copy of the foregoing document was mailed to counsel of record and/or pro se parties on this date, December 6, 2022, by electronic and/or ordinary mail.

S/Lisa Wagner  
Case Manager and Deputy Clerk  
(810) 292-6522